

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

UNITED STATES OF AMERICA)	
)	No. 3:23-00081
)	CHIEF JUDGE CRENSHAW
v.)	
)	
JOSIAH ERNESTO GARCIA)	

MOTION TO EXCUSE APPEARANCE

Through undersigned counsel, Josiah Garcia moves this Court excuse his appearance at the status conference set for Tuesday, March 19, 2024 at 1:30 p.m. (D.E. 76) to reset the upcoming status conference set for Tuesday, January 23, 2023, at 9:30 a.m. (D.E. 60). In support, Mr. Garcia asserts:

1. Mr. Garcia was laid off from his job at Magna Seating a little over a month ago .
2. Since that time, he has been applying to many different jobs in an effort to regain employment.
3. Recently, he made it through a second-round interview with XPO Logistics for a dock worker position where he will be loading/unloading equipment from trailers and also moving things in a warehouse using a forklift.
4. This lapse in employment has caused Mr. Garcia financial strain.
5. His sister, Naomi Diaz, has also been unable to work due to a surgery had months ago.
6. Because it would be less of a financial burden for Mr. Garcia to make the seven-hour drive to Nashville, he requests this Court excuse his appearance.

Based on the foregoing, Mr. Garcia requests this Court grant his motion and excuse his appearance at the status conference set for tomorrow at 1:30 p.m.

Respectfully submitted,

s/ David Fletcher

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CERTIFICATE OF SERVICE

I hereby certify that on March 19, 2024, I electronically filed the foregoing *Motion to Excuse Appearance* with the U.S. District Court Clerk by using the CM/ECF system, which will send a Notice of Electronic Filing to the following: Brooke Schiferle, Assistant United States Attorney, 719 Church Street, Suite 3300, Nashville, Tennessee, 37203.

s/ David Fletcher

DAVID FLETCHER